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RHEFHLC/HOMELAND SECURITY CENTER WASHINGTON DC
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SUBJECT: INTERNATIONAL MARITIME ORGANIZATION (IMO):
REPORT OF THE NINETY-SEVENTH SESSION OF THE COUNCIL,
LONDON, 6-10 NOVEMBER 2006.

11. SUMMARY: The International Maritime Organization (IMO) met at Central Hall Westminster in London, UK from 06-09 November 2006, to hold the ninety-seventh session of the Council (C97) chaired by Mr. Johann Franson (Sweden). Topics of significant interest included: Condolences for the recent passing of Igor Ponomarev (Chairman of the Maritime Safety Committee MSC) and discussions with SECGEN Mitropoulos regarding who would assume the position of Chairman of the MSC; discussions with the IMO Secretariat to increase US Coast Guard in-kind support to the IMO's Integrated Technical Co-operation Program; resource management and the IMO's 2007 budget; the Voluntary IMO Member State Audit Scheme; reports of the Committees; interpretation of Article 17 of the IMO Convention as the basis for ensuring geographic representation on the Council; protection of vital shipping lanes; and renewing the contract of the SECGEN. The USDEL intervened on the following agenda items: Review of the Organization's financial framework in accordance with Assembly Resolution A.969 - including amendments to the Financial Regulations and Financial Rules; the recent passing of Mr. Igor Ponomarev (Russian Federation); the Voluntary IMO Member State Audit Scheme; the consideration of the report of the Legal Committee; Implementation of Article 17 of the IMO Convention; Protection of vital shipping lanes; and renewing the contract of the SECGEN. END SUMMARY.

12. DELEGATION INFORMATION. The USDEL for C97 consisted of Mr. Laurence Tobey, Department of State (Representative), Ms. Katherine Johnson, US Coast Guard (Alternate), Mr. Jeremy Cairl, US Coast Guard, and LT Zachary Ford, US Coast Guard. C97 was attended by all of the forty (40) Council Members: Category A - China, Greece, Italy, Japan, Norway, Panama, Republic of Korea, Russian Federation, United Kingdom and United States; Category B - Argentina, Bangladesh, Brazil, Canada, France, Germany, India, Netherlands, Spain and Sweden; Category C - Algeria, Australia, Bahamas, Belgium, Chile, Cyprus, Denmark, Egypt, Indonesia, Kenya, Malaysia, Malta, Mexico, Philippines, Portugal, Saudi Arabia, Singapore, South Africa, Thailand and Turkey. Twenty-seven (27) IMO Member States not on the Council were invited under rule four (4) of the rules of procedure of the Council: Angola, Barbados, Belize, Benin, Colombia, Cote D'Ivoire, Cuba, Democratic Republic of the Congo, Dominican Republic, Ecuador, Ghana, Honduras, Iran, Jamaica, Liberia, Marshall Islands, Monaco, Morocco, New Zealand, Nigeria, Peru, Poland, Saint Vincent and the Grenadines, Senegal,

Vanuatu, Venezuela and Yemen. Two (2) Associate Members, Hong Kong, China and Faroe Islands, and two (2) representatives from United Nations (UN) attended the Council, as did representatives from five (5) intergovernmental organizations (European Commission (EC), International Oil Pollution Compensation Funds (IOPC FUNDS), International Mobile Satellite Organization (IMSO), South Asia Co-operative Environment Programme (SACEP), Commonwealth Telecommunications Organization (CTO)) and eleven (11) non-governmental organizations.

13. DEATH OF MR. IGOR PONOMAREV. Mr. Igor Ponomarev, the Russian Federation's Permanent Representative to the IMO and the IMO's Maritime Safety Committee (MSC) Chairman died on 31 October after suffering a heart attack at the age of 41. The SECGEN stated, "Igor was a great friend and a highly talented young man who had all the necessary background, depth of knowledge, courage and wisdom to take on the enormous responsibility of chairing the most senior technical committee of IMO." Furthermore, Igor was a close friend and a tremendous colleague to many of the US delegates to IMO meetings. Igor last visited US Coast Guard Headquarters in April 2006 to discuss issues related to the Maritime Safety Committee. A ceremony will be held in London at 1100 on 24 November; the details of the event will be released to the general public.

Intervention Text (Katherine E. Johnson): "Since this is my first intervention, I would like to take this opportunity, on behalf of the U.S. delegation, to join with the Secretary-General, with our colleagues from the Russian Federation and with many, many other delegations to note with great sorrow the untimely

passing of Mr. Igor Ponomarev, Permanent Representative of the Russian Federation to the IMO and chairman of the Maritime Safety Committee. We would like to express our sincere condolences to the Russian Federation, but most of all, to Igor's wife Aylona and son Alex. Igor was an extraordinary man and a skilled diplomat who made tremendous contributions to global maritime safety, security and environmental protection throughout his distinguished career with the Russian Federation and the IMO. He will be sincerely missed and will always remain in our thoughts."

14. MEETING WITH SECGEN MITROPOULOS. The USDEL met with the SECGEN (at his request) to discuss filling the vacancy in the chairmanship of the MSC, due to the recent passing of Mr. Igor Ponomarev. The SECGEN provided the following proposal for USDEL consideration: Mr. Andreas Chrysostomou (Cyprus) be moved from the position of Chairman of the MEPC to become Chairman of the MSC. (The current Vice-Chairman of the MSC, Mr. Neil Frank R. Ferrer (Philippines), was not interested in assuming the position of MSC Chairman and, as the SECGEN noted, did not have the strong technical background needed to serve effectively as Chairman of the MSC). Also, the Vice-Chairman of MEPC, Mr. Ajoy Chatterjee (India) would then become the Chairman of MEPC. The delegation of Turkey agreed with the SECGEN's proposal to move Mr. Chrysostomou to the position of MSC Chairman under the condition that the election not take place during MSC 82 in Istanbul, Turkey from 29 November - 08 December due to potential political implications of relations between Cyprus and Turkey. After consultations with Washington, USDEL notified the SECGEN that the US would support his proposal.

15. DISCUSSIONS WITH THE IMO SECRETARIAT TO INCREASE US COAST GUARD IN-KIND SUPPORT TO THE INTEGRATED TECHNICAL CO-OPERATION PROGRAM (ITCP). The USCG members of the USDEL met with the IMO's Head, Maritime Training and Human Element Section (Maritime Safety Division) - Mr.

Mahapatra - and the IMO's Head, Latin American and Caribbean Section (Training Division) - Mr. San Miguel - to discuss increased USCG in-kind support to the ITCP. On behalf of IMO, Mr. Mahapatra invited the USCG to nominate one individual to participate in the Regional Training Course for the Voluntary IMO Member State Audit Scheme to be held in Roseau, Dominica, 11-15 June 2007. The fully completed and duly authenticated nomination forms should be received at IMO by 1730 hours on Friday, 13 April 2007. Then full cost of participation (travel to and from the country, hotel and all other expenses) must be borne by the nominating authority or the participants themselves. On behalf of IMO, Mr. San Miguel requested that a USCG officer attend the ITCP's Regional Workshop on Port State Control Inspection in St. Vincent and the Grenadines from 27-28 November 2006 to discuss the following topics: "PSC on US and Caribbean Ships" and "The USCG Perspective on the current and future considerations on the conduct of flag and port State surveys." The USDEL will work with USCG D7 to respond to the request for assistance through the IMO/USCG MoU on Maritime Training and Technical Assistance. Additionally, Mr. San Miguel proposed that some courses, such as the Caribbean Ship Inspector Training Course (CASIT) become available through distance learning. Due to the cost of conducting the course (25,000 USD), the increased demand by developing countries for the course, and the uncertainty of the long-term financial sustainability of the ITCP, his division has been trying to determine how to best maximize the available resources. The immediate objective of the CASIT course was to equip small ship surveyors to function in a Caribbean Maritime Administration. Persons so trained would be able to carry out Flag State Control (FSC) surveys on all vessels up to 24 m in length. They would also be able to carry out full Port State Control (PSC) inspection on vessels up to 500 GT and inspection of documents (first stage PSC) on all ships. Supporting this IMO course would be in alignment with the US paper submission to MSC 82 to consider the creation of a set of security recommendations for ships less than 500 GT which travel international routes. CASIT Background: Fourth Caribbean Ship Inspector Training Course (CASIT)

Dates: 11 October to 3 December 2004 (this theoretical part is to be followed by an on-the-job training in February 2005) Location: Trinidad and Tobago Summary outputs: 11 participants completed the theoretical input of the course. Recipient countries: Anguilla, Antigua & Barbuda, Aruba, Bahamas, Barbados, Belize, British Virgin Islands, Cayman Islands, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Netherlands Antilles, St. Kitts & Nevis, St. Lucia, St. Vincent & the Grenadines, Suriname, Trinidad and Tobago, Turks and Caicos Islands.

16. STRATEGIC PLANNING. The Council heard the Secretariat's progress report and analysis of the data

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collected so far under the current Strategic Plan, which runs for six years (2006-2011). Two new performance indicators have been added since the prior session of Council, including the number of IMO members compared with UN members (currently 87 per cent) and the development of goal based standards for new-ship construction. The plan now monitors 18 separate performance indicators to measure IMO's performance according to its Strategic Plan. These indicators include the percentage of IMO Member States that have ratified each IMO convention and protocol; lives lost at sea; pirate attacks on ships; ship-generated air and water pollution; and technical assistance activities provided to Member States. As the strategic plan is in its first year, it is too early to reach meaningful

conclusions about IMO'S performance. RISK MANAGEMENT - The Council received Australia's report as chairman of a Correspondence group that is developing terms of reference for a future Risk Management working group. The group found that future risk management efforts need to be closely coordinated with the IMO's strategic plan; the purpose of risk management is to minimize losses emanating from foreseeable risks; IMO will be expected to promote a risk management "culture" at all levels of the Organization; and all staff will be given responsibility to identify, assess, and treat risks to the Organization as part of their day to day duties. Future steps will include the development of "risk rosters" at the working-unit levels of the Organization, with guidance then to be provided on what level of risk is acceptable. As the Council is responsible for setting strategic directions for IMO, it will be called on in the future for oversight of the risk management program.

17. ORGANIZATIONAL CHANGE. Council heard the Secretariat's progress report on the International

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Public Sector Accounting Standards (IPSAS). The planned go-live date is January 2010. The issue of accounting reform was one part of the UN Secretary General's package of reform measures put to the General Assembly in 2006, and was part of the reduced package approved in July. The Secretariat is currently carrying out an Impact Assessment study of IPSAS which is to be completed by the end of 2006. Refurbishment of the IMO Headquarters Building began on schedule in August 2006. The Secretariat relocated to 55 Victoria Street in August, and renovation of the building by a U.K. contractor (Overbury's) began in mid-August. The United Kingdom Government is paying for 80 per cent of the renovation cost. IMO meetings are being carried out at alternate sites arranged by the Secretariat. IMO expects to be back in its renovated headquarters in August 2007. The Council heard nothing to suggest that the project will not be completed on time.

18. RESOURCE MANAGEMENT. Council considered personnel matters, which included revisions to staff rules relating to terminated employees, and updating the payment schedule for travel expenses and 2007 employee compensation, which is determined by the UN Common System. Head of US Del met on the margin with the Secretariat's Head of Financial Services to present a

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solution to outstanding tax reimbursement claims that the United States owes to IMO for US taxes paid by US employees. This should resolve the issue which the External Auditor drew to Council's attention in the June session. The United States paid its annual assessment of GBP 771,737 to IMO in August 2006, so is current in its obligations and is not in arrears. Council also reviewed the IMO's current financial framework, and per instructions, gave the following

intervention prepared by Department of State (IO/MPR): Intervention Text (Laurence Tobey): "The current financial framework, as adopted in the 1990s, is working very well. The IMO consistently has one of the highest collection rates of member assessments in the UN system, as evidenced most recently by its 99% collection rate in 2005. Concur with the Secretary-General's proposal to only review the IMO's financial framework in the future on the basis of an appropriate downturn in the collection rate of the organization. We have advocated this in the past. We don't support the proposal for having a set percentage of interest earnings from the Contributions Incentive Scheme automatically "donated" to the Technical Co-operation (TC) Fund. The earnings belong to Member States. Those

that wish to donate all/part of their interest earnings in an IMO activity are free to do so, however, the action should be voluntary on the part of each Member."

19. THE IMO'S VOLUNTARY MEMBER STATE AUDIT SCHEME. This issue continues to be of high interest to the SECGEN. The SECGEN and the Council continued to encourage Member States to nominate as many qualified auditors as possible and to continue to volunteer for audits. A number of delegations indicated their progress in meeting the requests. Denmark and Cyprus noted to the Council that successful audits had occurred during the past year. In addition, both expressed their satisfaction in the professional manner by which the audit teams conducting their analysis. Following these positive reports, France intervened and stated their willingness to be audited in 2008. India intervened with words of strong support for the audit scheme and introduced the idea of creating a national evaluation committee, the idea being to bring personnel in from the outside to evaluate the IMO auditors. Chile and Denmark communicated the need for more guidelines to the audits. The SG agreed that at the completion of ten audits there should be some sort of after action meeting to help set up guidelines, however he questioned India's call for bringing in a team from the outside to assess the audits. The SG believed this may put the confidentiality of the scheme in question. Intervention Text (Katherine E. Johnson): "With regards to the item at hand -- the Voluntary IMO Member State Audit Scheme -- the United States would like to commend the Secretary-General, the Secretariat and the Member States on the continued implementation of the Scheme, to include the conduct of the first audit in September. As noted previously, the United States has nominated five (5) auditors who will and are participating in the Scheme, and the U.S. plans to be audited in 2008. The U.S. delegation would like to second the call, outlined in Council document C97/7, for Member States to continue to nominate as many qualified auditors as possible, and to encourage Member States that have not yet volunteered to be the subject of an audit to do so."

10. REPORT OF THE LEGAL COMMITTEE. The Council noted the information set out in document C 97/8 and its addendum, as well as that provided orally by the Chairman of the Legal Committee and the Secretary-General, on the report of the Legal Committee at its ninety-second session. In particular, the Council: (i) noted the conclusion, by the Committee, of its work on the preparation of a draft convention on the removal of wrecks, for consideration by a Diplomatic Conference to be convened at the Headquarters of the United Nations Office at Nairobi (UNON), from 14 to 18 May 2007; (ii) noted the adoption, by the Committee, of a reservation and Guidelines for implementation of the 2002 Protocol to the Athens Convention, developed pursuant to Assembly resolution A.988(24); (iii) noted the Committee's decision to retain the subject of fair treatment of seafarers in the event of a maritime accident on the agenda for its next session; (iv) noted the Committee's decision, for the time being, to continue receiving reports on the TC sub-program related to maritime legislation on a semi-annual, rather than biennial basis; (v) noted the approval by the Committee of a progress report on outputs planned for the 2006-2007 biennium, and proposed outputs planned for the 2008-2009 biennium; and (vi) noted the approval by the Committee of revisions to the Guidelines on Work Methods and Organization of Work of

the Legal Committee relating to the Strategic Plan, and of proposals relating to the establishment of intersessional groups. The Council agreed that it would be both appropriate and beneficial that the Legal Committee, taking into consideration its differing

needs, harmonize its work methods with those of the MSC and MEPC, and endorsed the Secretary-General's proposal that the Chairmen of all five Committees, together with the Secretaries of these Committees, meet to discuss this further on the margins of the Council's ninety-eighth session in June 2007 and to report to the Council at its twenty-fourth extraordinary session in November 2007. The Council decided to transmit the report of the Committee's ninety-second session, with its comments and recommendations, to the twenty-fifth regular session of the Assembly, in accordance with Article 21(b) of the IMO Convention.

Intervention Text (Katherine E. Johnson): "Mr. Chairman, the U.S. believes that as a general rule, the guidelines and methods of work for all Committees and Sub-Committees should be in alignment or in harmony - not necessarily the same, but in harmony. As such, we can associate ourselves with Denmark and others and support the Secretary-General's suggestion that all five Chairmen meet on the margins of the IMO Council in June and report its results to the extraordinary session of Council in November."

11. REPORT OF THE MARINE ENVIRONMENT COMMITTEE: The Council noted the information set out in document C 97/9, and its corrigendum, as well as that provided orally by the Chairman of the Marine Environment Protection Committee and the Secretary-General, on the report of the Marine Environment Protection Committee at its fifty-fifth session. In particular, the Council: (i) noted the adoption, by the Committee, of amendments to MARPOL Annexes I and III and the Condition Assessment Scheme for oil tankers; (ii) noted the adoption, by the Committee, of five new sets of guidelines necessary for the implementation of the BWM Convention and the basic approval given by the Committee to two Ballast Water Management systems that make use of Active Substances; (iii) noted the progress made by the Committee in developing the draft international convention for the safe and environmentally sound recycling of ships, and associated guidelines; (iv) approved the Committee's request to allocate a five-day diplomatic conference on ship recycling in the 2008-2009 biennium, with a view to adopting the draft convention, for inclusion in the Secretary-General's relevant budget proposals; (v)

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noted the approval, by the Committee, of a work plan on reduction of greenhouse gas emissions from ships; and the progress made on the review of MARPOL Annex VI and the NOx Technical Code; (vi) noted the response of the Organization, and of other bodies, to the Lebanon oil spill, within the framework of UNCLOS and the OPRC and Barcelona Conventions; (vii) noted the approval, by the Committee of an Action Plan to address the long-standing problem of inadequacy of port reception facilities; and the Committee's decision to recognize regional arrangements; (viii) noted the action taken by the Committee concerning reports of sub-committees and work of other bodies; (ix) noted the action taken by the Committee concerning long-term funding solutions for the GESAMP/EHS Working Group; (x) noted the Committee's approval, subject to concurrent decision by MSC 82, of the proposed plan of meeting weeks for the MSC and MEPC and their subsidiary bodies during the 2008-2009 biennium, for inclusion in the Secretary-General's budget proposals; (xi) endorsed the action taken by the Committee in approving intersessional meetings for working/technical groups in 2007; and (xii) stressed, once again, the need for Governments to ratify, as soon as possible, the various environment-related conventions adopted by the Organization. The Council decided to transmit the report of the Committee's fifty-fifth session, with its comments and recommendations, to the twenty-fifth regular session of the Assembly, in accordance with Article 21(b) of the IMO Convention.

¶12. REPORT OF THE FACILITATION COMMITTEE: The Council noted the information set out in document C 97/10, and that provided orally by the Chairman of the Facilitation Committee and the Secretary-General, on

the report of the Facilitation Committee at its thirty-third session. In particular, the Council noted: (i) that draft amendments to the FAL Convention (regarding ships arrival, stay and departure; arrival and departure of persons; measures to facilitate clearance of cargo, passengers, crew and baggage; facilitation for ships engaged on cruises and for cruise ship passengers; and special measures of facilitation for passengers in transit), will be considered, with a view to approval, at FAL 34 and subsequent adoption at FAL 35; (ii) that progress was made in the development of an explanatory manual to the FAL Convention, with due account being taken of the relevant provisions of Annex 9 to the Convention on International Civil Aviation, the revised Kyoto Convention on Customs Procedures and UN/ECE recommendations; (iii) that progress was made relevant to the transmission, by electronic means, of security-related information, the revision of the IMO Compendium on facilitation and electronic business, including IMO EDI related issues; (iv) that, in the context of resolution A.971(24), the Committee approved amendments to its relevant Guidelines; and requested the Secretariat to prepare further amendments for consideration at FAL 34; (v) the view expressed by the Committee that States should provide the Organization with information regarding the actions taken relevant to incidents of piracy and armed robbery against ships reported to have occurred in their territorial waters, to enable the Committee to assess, from its perspective, the efficiency of such actions; (vi) that the Committee approved draft revised Guidelines for the suppression of the smuggling of drugs, psychotropic substances and precursor chemicals on ships engaged in international maritime traffic and an associated draft FAL resolution, with a view to adoption at FAL 34, subject to any amendments proposed by MSC 82; (vii) the Committee's decision to establish, subject to relevant decisions of MSC 82, a joint MSC/FAL Working Group on the Security and Facilitation of the Movement of Closed Cargo Transport Units and Freight Containers, with appropriate terms of reference; (viii) the outcome of the Committee's consideration of stowaway-related issues, in particular, its decision that the Guidelines on the allocation of responsibilities to seek the successful resolution of stowaway cases (resolution A.871(20)) adequately cover the issue and, therefore, that no further action was needed; (ix) the Committee's decisions on matters associated with the development of administrative procedures for disembarking persons rescued at sea; (x) the progress made by the Committee in pursuance of the request of the Assembly in resolution A.984(24) on Facilitation of the carriage of the IMDG Code class 7 radioactive materials including those used in medical or public health applications; and (xi) the Committee's decisions regarding the review process for the High-level Action Plan and priorities for the 2006-2007 biennium. The Council approved the list of substantive items for inclusion in the provisional agenda for the Committee's thirty-fourth session, and also approved the report of the Committee's thirty-third session in general; and decided to transmit it, with its comments and recommendations, to the twenty-fifth regular session of the Assembly.

¶13. INTERPRETATION OF ARTICLE 17(c) OF THE IMO CONVENTION.

The most controversial issue considered by the Council, and the one which provoked the most discussion, was the question of how to interpret Article 17(c) of the Convention. Originally raised by Kenya after the

November 2005 Assembly and Council, the issue is how Article 17(c) should be implemented so that there is a broad range of geographic representation. When Nigeria and Ghana failed to win reelection to the Council during the 24th session of the Assembly in November 2005, Kenya initially proposed that a formula based on geography should be considered. The Secretariat paper for this Council session summarized the concerns of the states that wanted change, and reviewed the practices of other UN Agencies for ensuring geographical representation. The Secretariat found that there was no consistent method used among comparable UN Agencies. The SECGEN presented the view that amending the IMO Convention (the Organization's fundamental document) should not be attempted and that the appropriate

vehicle would be an Assembly resolution. In the lengthy debate that followed, a consensus emerged to support this position. The SECGEN then proposed that a way to improve geographic representation would be to delay the election to Category C to the Monday following the elections to Categories A and B to allow delegations to consult with their governments on the results, with the hope that more time to consider their positions would result in better geographic diversity. As instructed, the USDEL intervened to support the Secretary General's suggestions as follows:

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Intervention 1 Text (Laurence Tobey): "First, we begin by thanking the Secretary General and the Secretariat for their research and presentation of this issue. Second, we thank the Bahamas delegation for their very helpful papers. The United States fully supports the principle of broad implementation of geographic representation. At the same time, we agree with the many delegations who do not want to see the amendment of the IMO Convention. We also agree with India and others who do not want to refer this question to the International Court of Justice. We support the Secretary General's proposed solution, both with

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respect to using an Assembly resolution to address the issue, and also with respect to adjusting the time of elections to allow time for consultations." The Chairman ultimately found sufficient consensus among the Council to find the proposals adopted. However, when preparing the final summary report of the Council's decisions, further debate ensued, led by the Bahamas, who sought to broaden the record of discussion to cover all of Article 17 rather than just 17c. The Secretariat produced a corrigendum that USDEL believed

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accurately reflected the discussion, and intervened as follows.

Intervention 2 Text (Laurence Tobey): "The United States supports the position advanced by Japan. We believe that the corrigendum accurately reflects the discussion and the Council's decision and instruction to the Secretary-General. We note at the same time it does expressly refer to the submission of the Bahamas, and also the comments made by the various delegations during the debate."

The Chairman found sufficient support for this proposal, but with language added by Australia calling for "contestability" for elections to all categories of membership. The issue will be considered again at the next session of Council.

14. PROTECTION OF VITAL SHIPPING LANES. The Council noted the information set out in document C 97/12, in relation to the Meeting on the Straits of Malacca and Singapore: Enhancing Safety, Security and Environmental Protection, which was convened by IMO and the Government of Malaysia pursuant to the decisions of the

twenty-third extraordinary session of the Council, and was held in Kuala Lumpur, Malaysia between 18 and 20 September 2006 (the Kuala Lumpur Meeting). The Council, in particular, (i) expressed appreciation to Malaysia for hosting the Kuala Lumpur Meeting, and to Indonesia, Malaysia and Singapore for their co-operation and support; (ii) expressed appreciation to the States and intergovernmental and non- governmental organizations which sent representatives to the Kuala Lumpur Meeting and for their contributions to the proceedings and the successful conclusion of the Meeting; (iii) expressed appreciation to the Secretary-General and his staff for their efforts in organizing, convening and conducting the Kuala Lumpur Meeting; (iv) noted, with satisfaction, the successful conclusion of the Kuala Lumpur Meeting and, in particular, the adoption of the Kuala Lumpur Statement on Enhancement of Safety, Security and Environmental Protection in the Straits of Malacca and Singapore (the Kuala Lumpur Statement); and (v) noted the elements of the Kuala Lumpur Statement relating to the measures the littoral States have already established in an effort to enhance safety, security and environmental protection in the Straits of Malacca and Singapore and the further actions they contemplate to take in this respect; and the requests of the meeting addressed to IMO. The Council authorized the Secretary-General: (i) to continue to co-operate with the littoral States and, in particular, to provide every assistance possible in attracting sponsors for the projects agreed by the Kuala Lumpur Meeting, especially contributors for the maintenance,

repair and replacement of the aids to navigation in the Straits; and (ii) to convene, in consultation with the littoral States, and pursuant to the requests contained in the Kuala Lumpur Statement, a series of follow-on meetings for the littoral States to review the identification and prioritization of specific needs in relation to the enhancement of safety, security and environmental protection in the Straits; and for user States to identify possible assistance and to respond to those specific needs, which may include provision of resources, capacity building, training and technical support, with a view to promoting further co-operative measures including possible options for burden sharing. The Council also thanked the Government of the Republic of Singapore for offering to host the next IMO-sponsored meeting on the Straits which, as with the Jakarta and the Kuala Lumpur Meetings, should involve littoral and user States, industry and other stakeholders. Finally, the Council reaffirmed its mandate to the Secretary-General to continue his work relating to the protection of shipping lanes of strategic importance and significance; and to report to the Council as and when appropriate.

Intervention Text (Katherine E. Johnson): "Mr. Chairman, on behalf of the United States, we would like to thank the Government of Malaysia and the IMO for convening, in September of this year, the Kuala Lumpur Meeting on Enhancing the Safety, Security and Environmental Protection in the Straits of Malacca and Singapore. The Kuala Lumpur Meeting was the second in what we hope will be a continuing series of multilateral meetings and efforts bringing the "users" of the Straits together with the littorals to work collaboratively to identify mechanisms to enhance the safety and security of this vital waterway. The collaborative, multilateral nature of this approach is to be lauded, and the U.S. looks forward to continuing to robustly participate in follow-on efforts. At the Kuala Lumpur Meeting, the U.S. expressed its interest in and ability to support three of the six projects put forward by the littorals - all of which are aimed at enhancing the safety of navigation and the protection of the marine environment in the region and we would encourage other states to offer their support for the

projects. The U.S. also stands willing to assist in future projects and efforts aimed more specifically at enhancing maritime security in the Straits."

¶15. EXTERNAL RELATIONS. UN, INTERGOVERNMENTAL ORGANIZATIONS, AND NONGOVERNMENTAL ORGANIZATIONS. The Secretary General briefed the Council on the second

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annual meeting of the UN Chief Executives Board (CEB), although no specific actions were required from IMO by this body. The Secretary General reported on the CEB's discussion of migration and development, and reported that IMO has developed international standards to prevent and suppress unsafe practices associated with the trafficking or transport of migrants by sea. IMO is also already giving "special attention" to the needs of small island developing states as called for by the CEB. The Secretary General also briefed the Council on the UN Global Counter-Terrorism Strategy adopted by the UN General Assembly on 8 September 2006. Turning to intergovernmental organizations, the Council approved a Draft agreement of Cooperation with the African Union and the International Tropical Timber Organization. The Council also approved applications for consultative status from the Cruise Line International Association, which has recently merged with the International Council of Cruise Lines; and the Federation of National Associations of Ship Brokers and Agents (FONASBA).

¶16. MEMBERSHIP AND STATUS OF CONVENTIONS. Membership now stands at one hundred and sixty-seven (167) Member States and three (3) Associated Members. This represents an increase of one because Montenegro joined the IMO as a Member State in October 2007 after separating from Serbia. There was no discussion of the Cook Islands' application for membership beyond noting that it had received several more approvals, but still needs 38 more for approval. There has been no change in the U.S. position, which is that the United States does not recognize the Cook Islands as an independent nation. The United States last reviewed this position in June 2006 following the 96th Council, after the Cook

Islands observer delegation provided a document that purported to show the Cook Islands' independence from New Zealand. USDEL referred this document to the Department of State's Legal Advisor, which concluded that it changed nothing and had in fact been presented previously. Therefore it offered no basis for changing the U.S. position.

¶17. CONTRACT OF THE SECRETARY-GENERAL. The Secretary General's contract expires in December 2007. The Council was asked to consider whether he receive an extension. The Chairman asked the Secretary General and all Secretariat staff to leave the room, which they did. There was debate over whether observer delegations were required to leave also. The Chairman eventually resolved this with the compromise that observer delegations that represented IMO Member States could remain and participate in the discussion without vote, while all others had to leave, which they did. Apart from this matter of participation, there was no controversy over the extension of the Secretary General's contract, which the Council approved unanimously. USDEL gave the first intervention on the issue as follows. Intervention Text: "The United States is pleased to strongly support the renewal of the Secretary General's contract for an additional four years."

¶18. DATE AND PLACE OF NEXT COUNCIL SESSION. The ninety-eighth session of the Council will take place at the Royal Horticultural Halls and Conference Centre in London from 25-29 June 2007.

